

UNITED STATES DISTRICT COURT

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

for

JAN 19 2010

NORTHERN DISTRICT OF GEORGIA

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

U. S. A. vs. Jerry Pugh

Docket No. 1:01-CR-228-CAP

**AMENDED PETITION AND ORDER TO SHOW CAUSE
WHY SUPERVISED RELEASE SHOULD NOT BE REVOKED**

COMES NOW Bruce E. Murphy PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Jerry Pugh who was placed on supervision for the offense of Possession of a Firearm by a Convicted Felon and Possession of Cocaine with Intent to Distribute, by the Honorable Charles A. Pannell, Jr., sitting in the court at Atlanta, on the 4th day of October 2002, who fixed the period of supervision at 36 months, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

The defendant shall pay a special assessment in the amount of \$200.00 (paid).

The defendant shall participate in a drug/alcohol treatment program under the guidance and supervision of the United States Probation Officer and if able, contribute to the cost of services for such treatment.

The defendant shall not incur new credit charges or open additional lines of credit without the approval of the probation officer and unless the defendant is in compliance with the installment payment schedule.

The defendant shall submit to a search of his person, property, real or personal, residence, place of business or employment, and/or vehicle(s) at the request of the United States Probation Officer. The defendant shall permit confiscation and/or disposal of any material considered contraband or any other item which may be deemed to have evidentiary value related to violations of supervision.

The defendant shall perform 100 hours of community service work (bal. 28 hrs.).

The defendant shall not own, possess or have under his control any firearm, dangerous weapon or other explosive device.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

1. **Failure to Follow Instructions:** On Thursday, December 8, 2005, Mr. Pugh was verbally instructed to report to Dismas Charities (Community Corrections Center) on Wednesday, December 14, 2005. Also, he was provided with a letter indicating the same. He failed to show for his placement.

2. **Failure to Participate in Drug/ Alcohol Aftercare:** Mr. Pugh failed to attend outpatient group substance abuse counseling at Atlanta Psychological Associates as required. He was unsuccessfully terminated from the program in September 2005. On December 9, 13, 2005, Mr. Pugh failed to submit urine specimens via the random drug testing system.
3. **Possession/Use of Drugs:** On October 17, 2005, Mr. Pugh submitted a urine specimen which later returned as positive for cocaine use.
4. **Failure to Submit Written Monthly Report:** Mr. Pugh has not submitted his written monthly supervision report since September 2005. The reports are due by the 5th of each month.
5. **Failure to Perform Community Service Work:** Mr. Pugh failed to complete the required 100 hours of community service work. He has a balance of 28 hours.
6. **Violation of Law:** On January 17, 2006, a warrant was signed in Fulton County Magistrate Court indicating Mr. Pugh having committed the offense of Child Abandonment (W 558757104).
7. **Violation of Law:** On or about April 2, 2006, Mr. Pugh committed the offense of Battery in Atlanta, Georgia. A warrant was issued in Fulton County Magistrate Court on April 10, 2006. (W 140315584).
8. **Violation of Law:** On or about July 6, 2008, Mr. Pugh committed the offense of Obstruction and False Statements in Cobb County, Georgia. On August 6, 2008, Mr. Pugh appeared in Cobb County State Court (Docket # O8 M 4452). After negotiating a plea of guilty to Giving a False Name, he was sentenced to 32 days in custody (credit for time-served/released with time served).
9. **Violation of Law:** On or about December 5, 2008, Mr. Pugh committed the offense of Felon in Possession of a Firearm in Union County, South Carolina. On October 7, 2009, Mr. Pugh was sentenced in the District of South Carolina to 70 months in custody and 3 years of supervised release. Mr. Pugh's sentence is slated to expire on January 3, 2014.
10. **The Defendant shall not Leave the Judicial District without the Permission of the Court or Probation Officer:** At some time after December 7, 2005, and up until December 5, 2008, Mr. Pugh traveled outside of the Northern District of Georgia without permission. This is evidenced by his arrest and subsequent conviction in the District of South Carolina.

PRAYING THAT THE COURT WILL ORDER: the previous petition and order issued for said Jerry Pugh signed by the Court on January 9, 2006, be amended as reflected above and that Jerry Pugh be brought back before the Court at Atlanta, Georgia, on March 3, 2010, at 3:00 p.m. in order to show cause why Supervised Release heretofore entered should not be revoked.

ORDER OF COURT

Considered and ordered this 15 day
of Jan, 2010
and ordered filed and made a part of the
records in the above case.



Honorable Charles A. Pannell, Jr.
U. S. District Court Judge

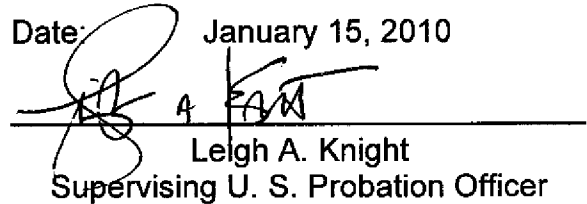
Respectfully,



Bruce E. Murphy
U. S. Probation Officer

Place: Atlanta, Georgia

Date: January 15, 2010



Leigh A. Knight
Supervising U. S. Probation Officer